

RECORD OF PROCEEDINGS
VILLAGE OF PENINSULA PLANNING COMMISSION
February 25, 2019 REGULAR MEETING

Call to Order: The Meeting was called to order by Mayor Doug Mayer at 7:05 p.m.

Roll Call:

In Attendance:

Chris Weigand
Kevin Royer
Doug Mayer- Mayor

Absent:

Karen Walters – Chairperson
Greg Canda

Others Present:

Brad Bryan – Village Solicitor
Martin Phelps – 5978 Canal Street
Tony Catalano, Stow Building Department

Attachments:

Ohio History Connection Letter June 19, 2017
City of Stow Letter December 6, 2018

Consideration of Minutes:

January 28, 2019 Planning Commission Meeting

Mayor Mayer made a motion to approve the Minutes of the January 28, 2019 Regular Planning Commission Meeting that was seconded by Mr. Weigand.

Roll call vote: Mr. Royer, yes; Mr. Weigand, yes; Mr. Mayer, yes. The January 28, 2019 Planning Commission Meeting Minutes were approved.

February 4, 2019 Long-Range Plan Meeting

Mayor Mayer made a motion to approve the Minutes of the February 4, 2019 Long Range Plan Meeting that was seconded by Mr. Royer.

Roll call vote: Mr. Royer, yes; Mr. Weigand, yes; Mr. Mayer, yes. The February 4, 2019 Long Range Plan Meeting Minutes were approved.

Citizens Participation: Mr. Slocum thanked the Planning Commission for its hard work and time it put into both the Planning Commission and Long- Range Plan Meetings. Mr. Slocum questioned why the January 7, 2019 Long-Range Plan Meeting Minutes were not posted on the Village website. Mayor Mayer stated the Village had an issue with its website. Some data was lost and the web administrator had to be called to recover it. The Minutes will be posted to the website soon.

5978 Canal Street Property: Mr. Bryan reviewed Sections 1311.07 and 1311.075 of the Village Building Code titled Right to Demolish and Historic Review Before Demolition as they pertained to the 5978 Canal Street Property.

The Village's Building Officer, Tony Catalano of the Stow Building Department, reported he received a phone call from Mayor Mayer about the unsafe property and vandalism reports from the Peninsula Police Department for 5978 Canal Street. Mr. Catalano conducted an onsite inspection of the property. In his opinion, the property located at 5978 Canal Street is irrefutably in deplorable condition. On December 6, 2018, a letter was sent to property owner, Martin A Phelps. Pursuant to Chapter 1311 of the Codified Ordinances of Peninsula, Mr. Catalano has declared the dwelling located at 5978 Canal St. to be a dangerous building, and therefore, a public nuisance. (See attachment). Mr. Catalano showed pictures of the property to the Commission. The house was built in 1873 by Lawson Waterman, a local builder of canal boats. It was used as a workshop for building canal boats and later as a dormitory style building for canal boat builders. It was later converted to a single-family residence. There is no sanitary sewer system. The original system was an outhouse. Mr. Catalano is not sure how long the home has been vacant; he stated it is obvious it has been decades. This building has fallen in such disrepair that it has become a very dangerous building and public nuisance. Mr. Catalano stated Mr. Phelps reached out to him and has been very easy to work with. He understands the situation he is in. Mr. Phelps has provided him with a copy of a letter from the Ohio History Connection documenting the listing of his property on the National Register of Historic Places. (See attachment).

Mr. Phelps stated he has owned this property for over thirty years. The building has been vandalized over the past year, and the present state is shown in the pictures. He would like to restore the building, and in the meantime, secure the house so it wouldn't be a public nuisance.

Mr. Bryan asked Mr. Phelps how long it would take him to secure the property. Mr. Phelps responded thirty days. Mr. Bryan asked about the condition of the yard. Mr. Catalano responded it is overgrown with a lot of trash.

Mayor Mayer stated that the last person residing at that address, well over ten years ago, didn't live in the house. He lived in a shipping container in the yard. The house is an embarrassment to the Village and should be an embarrassment to Mr. Phelps after owning it for thirty years. Mr. Phelps admitted little was done to maintain it during that time. The Mayor stated the house is an accident waiting to happen. The Village is going to take action to eliminate any potential of an accident for anyone on the towpath. Mayor Mayer asked Mr. Phelps if he is willing to spend money to clean up the yard, install a new roof and new windows, and produce engineered plans from an architect stating this building is restorable, within thirty days.

Mr. Weigand asked the last time someone lived on the property. Mr. Phelps responded over ten years ago. Mr. Weigand stated he went and looked at the condition of the house, and having experience with building houses and restoring houses, in his opinion, the only thing Mr. Phelps can do to that house is to tear it down. He needs to do it before someone gets hurt or killed because of the dangerous condition.

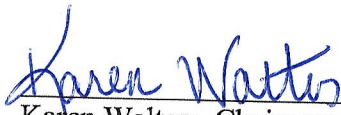
Mr. Phelps stated that he will do the work along with family members to restore the house and clean up the property. Mr. Catalano stated that no one could live in the house until a sanitary system and water system are installed. A discussion about the property taxes for the property took place. It was suggested that Mr. Phelps contact the Summit County Fiscal Officer about his tax bill to have his property reassessed since his house is worthless.

Mr. Catalano stated, in his professional opinion, this house is beyond repair. Mr. Phelps is beyond the thirty day threshold to repair or tear down the home. Mr. Catalano stated he has done asbestos testing on the property, and there is no asbestos. The Village should move forward and have the house be torn down. He received three bids, they are \$6,575, \$8,800, and

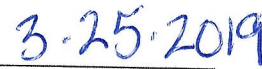
\$9,305. The bids include removal of all building material, cleaning up the site, and restoring it back to its natural state.

The Village instructed Mr. Phelps to secure and cover the cistern and well openings within 24 hours. The Village granted Mr. Phelps thirty days to review materials that might have historical value, remove them from the property, and have the house torn down and the property returned to its natural state at his own expense. If that work is not completed in thirty days, unless the Planning Commission elects to evoke its rights under Section 1311.075 of the Code to have a historic review of the property, the Village will notify the Stow Building Department to have the house demolished. The expenses for that work will be certified for placement on the tax duplicate for the property to be paid with the property taxes. It was agreed that this matter will be on the agenda for the March 25, 2019 Regular Planning Commission Meeting.

Adjournment: Mayor Mayer made a motion to adjourn that was seconded by Mr. Royer. All were in favor of the motion; none were opposed. The Meeting was adjourned 8:15 p.m.



Karen Walters, Chairperson



Date